

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**RELIASTAR LIFE INSURANCE
COMPANY,**

Plaintiff,

v.

**ROBERT W. CAVINESS, DALLAS
C. CAVINESS, and RHONDA
CAVINESS PIERCE (in her capacity
as guardian for DEVIN L.
CAVINESS, a minor),**

Defendants.

CASE NO.: 2: 07-CV-1084

**DEFENDANT ROBERT W. CAVINESS'
RESPONSE TO COMPLAINT FOR INTERPLEADER**

COMES NOW, Defendant, Robert W. Caviness, by and through undersigned counsel and answers the Plaintiff's Interpleader Complaint, as follows:

PARTIES:

1. Defendant, Robert W. Caviness, admits Paragraphs One (1) through Four (4) of the Complaint.

JURISDICTION:

2. Defendant, Robert W. Caviness, admits Paragraphs Five (5) and Six (6) of the Complaint.

INTERPLEADER:

3. Defendant, Robert W. Caviness, admits Paragraph Seven (7) of the Complaint.

4. Defendant, Robert W. Caviness, denies Paragraph Eight (8) of the Complaint and demands strict proof thereof.

5. Defendant, Robert W. Caviness, admits Paragraphs Nine (9) through Sixteen (16) of the Complaint.

6. Defendant, Robert W. Caviness, does not possess sufficient knowledge or information to either admit or deny Paragraphs Seventeen (17) and Eighteen (18) of the Complaint, and therefore denies the same.

7. Defendant, Robert W. Caviness, denies Paragraphs Nineteen (19) and Twenty (20) of the Complaint and demands strict proof thereof.

8. Defendant, Robert W. Caviness, does not possess sufficient knowledge or information to either admit or deny Paragraph Twenty-one (21) of the Complaint, and therefore denies the same.

9. Defendant, Robert W. Caviness, has no objection to an Order granting the Plaintiff's Interpleader, but alleges that as named beneficiary the life insurance policy of his brother, George Caviness, he is the proper party to receive the life insurance proceeds. Defendant Robert W. Caviness pleads this Honorable Court to award his claim to the life insurance proceeds along with an award of reasonable attorneys fees in this matter.

Respectfully submitted this the 8th day of January, 2008.

/s/ Terrie S. Biggs

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CERTIFICATE OF SERVICE

I hereby certify that on January 8th, 2007, I electronically filed the foregoing with the Clerk of the Court, which will send notification of such filing to the following:

George Walton Walker, III
Copeland Franco Screws & Gill
Counsel for Plaintiff
P.O. Box 347
Montgomery, Alabama 36101-0347

and by U.S. Mail, postage prepaid and properly addressed, to:

Dallas C. Caviness
1554 Sequoia Trail
Helena, Alabama 35080

Rhonda Caviness Pierce, as Guardian
For Devil L. Caviness, a Minor
1554 Sequoia Trail
Helena, Alabama 35080

s/ Terrie S. Biggs
OF COUNSEL